

REMARKS

In response to the Official Action mailed November 5, 2002, Applicant would like to first thank the Examiner for her indication that claim 12 contains allowable subject matter and would be allowed if rewritten to include the elements of the base claim and any intervening claims. To this end, applicant has amended claim 12 accordingly as note above. Applicant submits further that claims 1-11 and 13-14 are allowable over the art of record for the reasons discussed below and respectfully and earnest solicits early indication of same.

The Section 102 Rejections

The Examiner has first rejected claims 1-5 under 35 U.S.C. §102(b) as anticipated by Burrow et al., U.S. Patent No. 5,214,821. The Examiner has characterized Burrow as disclosing a low contamination swab employing a tubular knit fabric, that comprises a handle, a cleaning head, a grasping end, a securing region on the cleaning head, and a cleaning tip formed by a plurality of compressed polyester fibers. The Examiner cites to column 2, lines 9-14 for support for the fibrous cleaning tip material. The Examiner states further that Burrow et al. provide several methods for securing the cleaning tip to the handle such as a friction fit, an adhesive, or heat.

The Examiner has next rejected claims 1 and 6 under 35 U.S.C. § 102(b) as anticipated by Kachigian, U.S. Patent No. 5,084,005. The Examiner Kachigian as disclosing a swab that comprises a handle, a cleaning head, a grasping end, a securing region, and a cleaning tip formed of a plurality of fibers. The Examiner states further that Kachigian discloses that a swabbing tip may be secured to a rigid handle structure by ultrasonic welding.

Next, the Examiner has rejected claims 1 and 7 under 35 U.S.C. § 102(b) as anticipated by Yutts, U.S. Patent No. 1,903,664. Yutts is characterized as disclosing a duster and handle that has a cleaning head, a grasping end, a securing region, and a cleaning tip. The handle is a hollow tubular member having a central bore of which the cleaning tip has a shape and dimension for fitting into the handle bore.

The Examiner has also rejected claims 1 and 10 under 35 U.S.C. § 102(b) as anticipated by Gradone, U.S. Patent No. 3,712,296. The Examiner has characterized Gradone as disclosing a swab device that has a handle, a cleaning head end, a grasping end, a securing region, and a cleaning tip. The Examiner states further that Gradone shows a grip portion mounted externally on the handle.

The Section 103 Rejections

The Examiner has first rejected claims 8, 9, 13 and 14 under 35 U.S.C. §103(a) as unpatentable over Burrow, discussed above, in view of Bozarjian, U.S. Patent No. 6,187,104. The Examiner states that although Burrow does not disclose a tether, Bozarjian discloses a cleaning implement and method that has a tether secured to the handle-grasping end, which tether is secured through a handle bore. The Examiner notes that the tether may be removable or permanent, and concludes that it would have been obvious for one of ordinary skill in the art to apply the teachings of Bozarjian in including a removable or permanent tether to the swab so that the swab is always nearby or on hand when cleaning.

The Examiner has next rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Gradone in view of Bozarjian, both of which are discussed above. The Examiner again states that although Gradone does not disclose a tether, Bozarjian discloses a cleaning implement and method that has a such a tether secured to the handle-grasping end and that it would have been obvious for one of ordinary skill in the art to apply the teachings of Bozarjian in including a removable or permanent tether to the swab so that the swab is always nearby or on hand.

The Presently Claimed Invention

The present invention is directed to a swab for cleaning. As exemplified by claim 1, the invention pertains to a swab having a tip or cleaning head portion that is formed from a pull-truded fibrous material and a method for making such swabs. The swab includes an elongated handle that defines a longitudinal axis. The handle has a cleaning head end and a grasping end.

The cleaning head end defines a securing region. A cleaning tip is formed from a plurality of fibers formed by pulling the fibers through a die compressing the fibers into a substantially rigid, elongated cleaning head. The cleaning head is secured to the handle at the cleaning head end.

The Art of Record Fails to Disclose Each Element of the Claimed Invention

In order to anticipate a claim, the art of record must disclose each and every element of the claim. This, the cited art simply fails to do. Specifically, there is nothing in the art of record that discloses a cleaning head that is formed from a plurality of fibers that are pulled through a die compressing the fibers into a substantially rigid, elongated cleaning head.

Admittedly, each of the patents cited by the Examiner discloses a cleaning implement of one sort or another. The art of record, specifically discloses a wrapped knit fabric (Burrow et al.), a closed cell polymer foam (Kachigian), a pleated sheet of paper or fabric (Yutts), bristles (Bozarjian), and an absorbent material, e.g., cotton, (Gradone). However, not a single document discloses a cleaning head that is formed by pulling fibers through a die to compress the fibers into a rigid head.

To this end, Applicant submits that the Examiner has simply failed to show each and every element of the claimed invention in that none of the art of record show, for example, the pull-truded cleaning head. Thus, applicant respectfully submits that the each of the §102 rejections is improper and should be withdrawn.

The Art of Record Fails to Make Obvious the Claimed Invention

In order to find that a patent claim is obvious over and in view of the prior art, the elements of that claim must be shown in one or more references and suggestion, motivation or teaching to combine the references to make the invention must be shown. Here, as set forth above, none of the art of record discloses, for example, the pull-truded cleaning head. Thus, because this element is completely missing for the art of record, there simply cannot be determination that the claimed invention would have been obvious to one of skill in the art at the

time it was made. Thus, the rejection of claims 8, 9, 11, 13 and 14 can not stand because it has not been shown that each and every element is disclosed in the art of record and a suggestion, motivation or teaching to make the claimed invention has not be provided.

In conclusion, applicant respectfully requests reconsideration, reexamination and allowance of claims 1-11 and 13-14 in that the art of record does not disclose the claimed invention. Applicant further submits that claim 12, as amended in accordance with the Examiner's indication that it contains allowable subject matter, is also allowable over the art of record and respectfully and earnestly solicits early indication of same.

Submitted herewith is an associate power of attorney appointing the undersigned an associate attorney in connection with the present application. Entry in the application file is respectfully solicited.

Applicant believes that there is no fees due in connection with the present amendment. If, however, there is a fee due, Applicant authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed. Should any petitions be necessary, applicant requests that this paper constitute any such necessary petition.

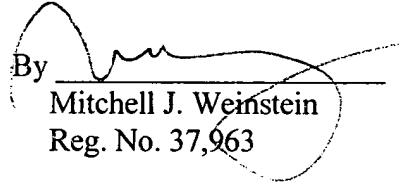
Attached herewith is a paper entitled "CLAIM MARKED-UP TO INDICATE CHANGES" and a paper entitled "CLEAN SET OF ALL PENDING CLAIMS FOLLOWING ENTRY OF THE PRESENT AMENDMENT" for the Examiner's use.

Serial No. 09/621,722
Art Unit 1744

Amendment A

If the examiner finds that there are any outstanding issues that may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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Serial No. 09/621,722
Art Unit 1744

Amendment A

CLAIM MARKED UP TO INDICATE CHANGES BY THIS AMENDMENT

12. (Amended) A [The] swab [in accordance with claim 11], comprising:
a handle defining a longitudinal axis, the handle being elongated and having a cleaning
head end and a grasping end, the cleaning head end defining a securing region;
a cleaning tip, the cleaning tip being formed from a plurality of fibers formed by pulling
the fibers through a die compressing the fibers into a substantially rigid, elongated cleaning head,
the cleaning head being secured to the handle at the cleaning head end, the handle and cleaning
tip defining a longitudinal axis;
a grip portion mounted externally of the handle; and
a tether mounted to the swab at the grip portion,
wherein a portion of the tether is disposed between the grip portion and the handle.

CLEAN SE OF ALL PENDING CLAIMS
FOLLOWING ENTRY OF THE PRESENT AMENDMENT

1. A swab, comprising:
a handle defining a longitudinal axis, the handle being elongated and having a cleaning head end and a grasping end, the cleaning head end defining a securing region; and
a cleaning tip, the cleaning tip being formed from a plurality of fibers formed by pulling the fibers through a die compressing the fibers into a substantially rigid, elongated cleaning head, the cleaning head being secured to the handle at the cleaning head end, the handle and cleaning tip defining a longitudinal axis.
2. The swab in accordance with claim 1 wherein the cleaning tip is formed from polyester fibers.
3. The swab in accordance with claim 1 wherein the cleaning tip is secured to the handle by friction-fit.
4. The swab in accordance with claim 1 wherein the cleaning tip is secured to the handle by heat.
5. The swab in accordance with claim 1 wherein the cleaning tip is secured to the handle by an adhesive.
6. The swab in accordance with claim 1 wherein the cleaning tip is secured to the handle by ultrasonic welding.

7. The swab in accordance with claim 1 wherein the handle is a hollow tubular member defining a central bore and the cleaning tip formed having a shape and a dimension for inserting into the handle bore.

8. The swab in accordance with claim 1 including a tether secured to the handle grasping end.

9. The swab in accordance with claim 8 wherein an end of the tether is inserted into the handle bore.

10. The swab in accordance with claim 1 including a grip portion mounted externally of the handle.

11. The swab in accordance with claim 10 including a tether mounted to the swab at the grip portion.

12. (Amended) A swab, comprising:
a handle defining a longitudinal axis, the handle being elongated and having a cleaning head end and a grasping end, the cleaning head end defining a securing region;
a cleaning tip, the cleaning tip being formed from a plurality of fibers formed by pulling the fibers through a die compressing the fibers into a substantially rigid, elongated cleaning head, the cleaning head being secured to the handle at the cleaning head end, the handle and cleaning tip defining a longitudinal axis;
a grip portion mounted externally of the handle; and
a tether mounted to the swab at the grip portion,
wherein a portion of the tether is disposed between the grip portion and the handle.

13. The swab in accordance with claim 8 wherein the tether is permanently mounted to the handle.

14. The swab in accordance with claim 8 wherein the tether is removably mounted to the handle.